

REMARKS

Favorable reconsideration of this application as presently amended in light of the following discussion is respectfully requested.

Claims 1-15 have been rejected under 35 USC 103(a) as being unpatentable over Curry (5,690,057) and further review of Pedroso, et al. (4,211,501). Claims 2, 3, and 16-18 have been cancelled. Accordingly, claims 1 and 4-15 remain active in the present application.

The telephone interview granted by Examiner Lofdahl on June 29, 2004 is hereby acknowledged and is sincerely appreciated. During the course of the interview, applicant's attorney presented amendments to claim 1 for the Examiner's consideration. At the conclusion of the interview, the Examiner indicated that a supplemental search would be conducted.

Considering first the election to prosecute the invention of a sweat scraper as set forth in original claims 1-15, applicant hereby affirms this election.

Considering next the rejection of claims 1-15 under 35 USC 103(a) as being unpatentable over Curry in view of Pedroso, et al., it is submitted that Applicant has amended claim 1 so as to patentably define over this combination of references. More particularly, claim 1 has been amended to emphasize that the sweat scraper is an animal sweat scraper adapted to scrape sweat from an animal. Moreover, the sweat scraper is defined as having a core of a first resilient material which defines an elongated curved scraper blade shaped to remove sweat and debris from an animal. The core is further defined as having a handle extending from one end of the scraper blade. To further define over the subject combination of references, claim 1 has been further amended to indicate that a sheath of a more resilient material is provided along a length of the scraper blade so as to define scraper blade edges adapted to scrape sweat from an animal.

A review of Curry fails to disclose an animal sweat scraper having a core made of a first resilient material and a sheath made of a more resilient material for conforming to the shape of an animal. Curry further lacks an elongated curved scraper blade and further lacks a handle extending from one end of the scraper blade.

In contrast to claim 1, Curry is not adapted to scrape sweat from an animal, but rather is adapted to remove hair from an animal. Curry lacks an elongated curved scraper blade and further lacks a handle extending from one end of the blade. Without a handle, a user must contact the sweaty surface of an animal. Thus is typically an undesirable result.

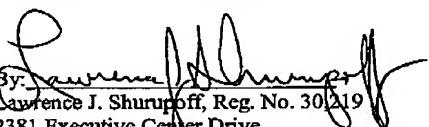
Considering the combination of Pedroso, et al. with Curry, it is submitted that Pedroso has been cited solely for the teaching of a scraper with a sheath made of a second resilient material and therefore fails to rectify the deficiencies noted above. That is, Pedroso lacks a curved scraper blade shaped to remove sweat and debris from an animal. Rather, Pedroso is adapted for spreading materials, not for removing them and scraping them. It is submitted that it would be difficult for one of ordinary skill to arrive at the combination suggested by the Examiner, insofar as one of ordinary skill would not typically look to a tool for spreading caulk or sealing materials for a teaching with respect to a toothless elastomeric shedding blade as taught in Curry.

Accordingly, it is submitted that Applicant's claim 1, as well as the remaining claims which depend therefrom, patently define over this combination of references.

Applicant has submitted new formal drawings with this response.

Respectfully submitted,

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